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# Development Review Comments

March 14, 2023

PAM2023-00145

## Submission Review Comments

2401 Wootton Parkway – Rockshire Village Center

The following are Development Review comments from City of Rockville staff related to the project submission.

## Reviewing Staff

### Planning & Development Services (PDS)

**Project Manager:**

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**Forestry Reviewer:**

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**Dept. of Housing and  
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(HCD)**

**Housing Reviewer:**

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**Dept. of Recreation and Parks  
(RPD)**

**Parks Reviewer:**

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## PDS Comments

### Development & Zoning (LA)

1. The purpose of a Pre-Application Meeting (PAM) with the Development Review Committee (DRC) is not to approve/disapprove aspects of a development plan. It is a meeting that provides an early opportunity for City Staff to give general advice to an applicant in the preparation of a site plan, project plan, or special exception, to discuss the application process and schedule going forward, and to address any concerns raised by the community. Staff strives to identify major issues but does not perform a full and complete review for compliance with all aspects of the code, which is done at the application phase.
2. The subject site is currently designated Residential Flexible (RF) by the Comprehensive Plan and is zoned PD-RS (Rockshire) with an equivalent zone of MXNC (Mixed-Use Neighborhood Commercial). The MXNC zone is “intended for sites that are either currently developed or recommended for development primarily for local retail and service uses in areas either within or in close proximity to single unit detached residential uses. This zone allows for low to moderate density development of retail, service, office, and residential uses. This zone is not intended to provide for major employment, so office uses are limited.”
  - a. Per Sec. 25.13.03, townhouses are permitted uses in the MXNC zone and single detached dwellings are conditional uses in the MXNC zone; conditional use approval for the single detached dwellings will be required at the time of Level 2 Site Plan review.
  - b. If a use listed as a conditionally permitted commercial use per Sec. 25.13.03 is proposed, a conditional use review will be required as part of either the Level 2 Site Plan, building permit, or occupancy permit application.
3. Per Sec. 25.07.02, the proposed development appears to have a point valuation of 12; however, in the case of this proposal, a Project Plan Amendment is required regardless of the point valuation per Sec. 25.07.02.b.3:
  - a. Tract size of 5.1 acres or greater = 4
  - b. 51-150 dwelling units = 3
  - c. 5,001 to 25,000 sq ft non-residential space = 2
  - d. Residential Impact Area = 3<sup>1</sup>
  - e. Traffic Impact of fewer than 30 trips (reduction from previous use) = 0
  - f. Points Total = 12
4. Land Use Planning Process:
  - a. Project Plan Amendment application is required following finalization of PAM2023-00145 to amend the existing Planned Development approval, which contemplates grocery store and retail on the subject site. This application requires the following:

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<sup>1</sup> Estimated using GIS

- i. A valid approved Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) plan as set forth in the City's Environmental Guidelines. The applicant has already completed an NRI/FSD.
    - ii. Evaluation for eligibility for historic designation.
  - b. Following approval of the Project Plan application, a Level 2 Site Plan application will be required per Sec. 25.14.07.f (Site Plan Required) and Article 7 (Procedures for Site Plans and Project Plans, Special Exception and other permits).
  - c. Following approval of the Level 2 Site Plan application, a "signature set" will be required for final approval.
  - d. Following approval of the Project Plan and Level 2 Site Plan applications, a Final Plat application be required to establish required easements and create the proposed single detached and attached record lots, commercial site, private alleys, park, and any other private facilities.
5. Land Use Review Timelines:
- a. Project Plan Amendment: initial submittal review by staff is 6 weeks; subsequent reviews are 3-4 weeks; final submittal due 7 weeks before the initial Planning Commission hearing. Final decision is by Mayor and Council.
  - b. Level 2 Site Plan: initial submittal review is 6 weeks; subsequent reviews are 3-4 weeks; final submittal due 5 weeks before the initial Planning Commission hearing.
  - c. Level 2 Site Plan Signature Set: initial submittal review is 2 weeks; subsequent reviews are 1-2 weeks.
  - d. Final Record Plat: initial submittal review is 3 weeks; subsequent reviews are 2 weeks; final submittal due 5 weeks before the initial Planning Commission hearing. The typical timeline for the Final Record Plat review and decision process is 60-75 days from submittal of a complete application.
  - e. Total typical review timeline is highly variable depending on applicant submittal timelines and responsiveness to City comments and requests.
6. The submitted transportation analysis indicates 36 spaces to be provided for the swimming pool and community center, the parking exhibit shows 35 spaces, and the cover sheet table shows 29. Please resolve this discrepancy with the next submittal.
7. Please provide documentation verifying that the proposed number of spaces provided for the swimming pool and community center continue to meet the conditions of approval of Case #PLT1977-11598.
8. Note that the Korean Presbyterian Church (formerly Temple Beth Ami) at 800 Hurley Ave was permitted to expand through Case# PRU1986-0004J subject to a lease agreement for use of the Giant site for overflow parking. The current applicant is not responsible for providing parking for the church, but coordination may be warranted as cessation of the lease agreement and redevelopment of the site will cause the church to become noncompliant in regards to parking.
9. Note that a proposed zoning text amendment (Case #TXT2023-00261) would allow the application of a floating RF (Residential Flexible) zone to the site to implement

the RF (Residential Flexible) Rockville 2040 Comprehensive Plan land use designation noted below in advance of the full Zoning Ordinance Rewrite currently underway. As currently drafted, these amendments would allow concurrent review of Project Plan and Level 2 Site Plan applications, though this language is subject to change. The first Planning Commission hearing on the amendment was held on March 8, 2023. A second Planning Commission hearing is scheduled for March 22, 2023.

10. See plan markups for additional comments.

### **Comprehensive Planning (KG)**

1. The Rockville 2040 Comprehensive Plan lays out several factors to consider when developing the project site. For ease of reference for the applicant, below are the actions in the Comprehensive Plan tied to the property. During the first review of the full application, Comprehensive Planning staff will be looking for consistency with the items below:
  - a. *“The Rockshire Village Center property is planned for a mix of residential housing types with the potential for small-scale commercial uses under the RF (Residential Flexible) land use designation.” – page 378*
    - The application as provided is consistent with this line of the Comprehensive Plan.
  - b. *“Any new housing development should include neighborhood serving retail space and/or provide a significant gathering space that would be an asset to the broader community beyond the site.” - page 378*
    - The application is providing neighborhood serving retail space. The City’s position is that the “significant gathering space” referenced in the Comprehensive Plan should be more extensive than currently provided and should include a functional children’s recreation area to meet the needs of the community.
  - c. *“Amend the approved planned development for the property to allow residential uses (preferably single-unit detached homes or attached townhouses/row houses) if the proposed residential development includes neighborhood-serving retail and/or community gathering space.” – page 378*
    - The application proposed both single-unit detached homes and attached townhouses, the preferred development types for the site. To accommodate the proposed residential use, the approved development plan must be amended, as noted in the Development and Zoning comments above.
  - d. *“Any new development at the Rockshire Village Center site should blend well with adjacent housing in terms of scale, massing, and height. Building heights adjacent and close to existing housing should complement existing conditions.” - page 378*
    - Compatibility with this section of the Comprehensive Plan will be determined when an architectural plan is provided during the first review.

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- e. *“Building heights may be slightly taller along Wootton Parkway, along the perimeter shared with the church, and within the interior of the site. Retail uses should have good visibility and/or visible signage from Wootton Parkway.” – page 379*
  - Compatibility with this section of the Comprehensive Plan will be determined when an architectural plan is provided during the first review.
- f. *“Parking for the Rockshire HOA swimming pool must be provided in close proximity to the path connecting the site with the pool.” - page 379*
  - The application provides parking for the Rockshire HOA swimming pool but does not appear to provide a path connecting the site to the pool.

#### **Forestry (SR)**

1. See plan markups for comments.

#### **Fire Marshall (CB)**

1. See plan markups for comments.

### **DPW Comments**

#### **Engineering (SM)**

1. See plan markups for comments.

#### **Traffic and Transportation (AWL/FM)**

1. Please provide an updated Transportation report. The updated report and the plans should include detailed discussion of and show acceptable sight distances, shown from driver perspective for both access points and all internal intersections of roads, alleys, and major driveways.
2. See plan markups for additional comments.

### **HCD Comments**

#### **Housing (PT)**

1. Residential units constructed on the site must comply with the standards and requirements of the Rockville Moderately Priced Dwelling Unit Ordinance, Chapter 13.5 of the Rockville City Code and the implementing MPDU Regulations. The applicant has provided 15% of the residential units as Moderately Price dwelling units (MPDUs). Staff is looking forward to work with the applicant.
2. All the 9 MPDU units are concentrated in one area of the project. The MPDUs must be distributed evenly throughout the development so as not to concentrate all MPDUs in one section(s) of the development. Need to spread out the MPDU units in other section of the development.
3. On plans it doesn't appear that applicant is proposing garage for the MPDU units. If the proposed market priced units have garages, the MPDU units must have garages.

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4. The MPDUs must be offered, and income tiered at an income range between 50%, 60% and 80% of AMI.
5. The minimum square footage for an MPDU townhouse with 3 bedrooms, 2 baths and two car garage must be 1,200 square ft. Make sure the garage has enough space to park two cars.
6. The MPDUs should be indistinguishable from the market rate units.
7. Sales offering agreement must be executed, and Declaration of Covenants must be recorded before applying of any building permit.
8. The HOA/Condo dues must not exceed 50% of the HOA/Condo dues of market rate units.
9. The Applicant must make HOA/Condo documents available for viewing at the sales office before the execution of any purchasing agreements

## RPD Comments

### Parks (CH)

1. Confirming the public open space will be privately owned and operated by the HOA. Due to the interior location of the park and the fact that it is serving as a stormwater facility, the park should be privately owned and managed by the HOA.
2. Publicly Accessible Art in Private Development ordinance (Rockville Code of Ordinances Article IV) will apply to this project.

**Note: At the time of the next submittal, the applicant will need to provide a point-by-point response letter noting how the staff review comments have been addressed. Comments provided in letter format can be addressed letter format. Comments provided in the plans should be addressed via plan markups rather than letter format.**